

Application/Control Number: 09/677,526
Art Unit: 2683

Docket No.: PALM-3504

REMARKS

Reconsideration and allowance in view of the forgoing proposed amendment and the following remarks are respectfully requested.

By this proposed amendment, claims 3, 7-9, 12, 13, 15-18 and 21-23 and 26 remain pending, no claims having been amended, and claim 1 having been newly canceled without prejudice or disclaimer.

Title of the Invention

On page 2 of the Office Action, the Examiner indicated that the title of the invention is allegedly not descriptive. Applicants propose amending the title of the invention to be more clearly descriptive of the claimed invention.

Rejection of Claim 1

On pages 2 and 3 of the Final Office Action, the Examiner rejected claim 1 under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,253,075 to Beghtol et al. ("Beghtol"). Applicants submit that the proposes cancellation of claim 1 without prejudice or disclaimer would make this rejection moot. Therefore, upon entry of this amendment, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Rejection of Claims 3, 7, 13, 15-18 and 21

On page 3 of the Final Office Action, the Examiner rejected claims 3, 7, 13, 15-18 and 21 under 35 U.S.C. 103(a) as allegedly being anticipated by U.S. Patent No. 6,233,464 to Chmaytelli in view of U.S. Patent No. 6,091,947 to Sumner in view of U.S. Patent No. 5,675,641 to Watanabe et al. ("Watanabe") and further in view of Beghtol. Applicants respectfully traverse the rejection.

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Independent claim 3 is directed to a method of managing a phone call to a wireless handheld phone device of a personal digital assistant, wherein the phone call is transmitted from a device in a mobile phone network. The method includes, among other things, managing a phone call to the wireless handheld phone device, wherein the managing of the phone call to the wireless handheld phone device further includes receiving the phone call only if an earplug device is plugged in.

On page 3 of the Final Office Action, the Examiner admitted that Chmaytelli and Sumner do not disclose or suggest receiving the phone call if an earplug device is plugged in. The Examiner alleged that Watanabe, at col. 1, lines 52-62 discloses this feature. Applicants submit that Watanabe does not disclose or suggest that the managing of the phone call to the wireless handheld phone device further includes receiving the phone call only if an earplug device is plugged in, as recited in claim 3.

Watanabe, at col. 1, lines 52-62, discloses:

A speaker telephone and a method for operating a speaker telephone capable of switching between half-duplex and full-duplex modes of operation are disclosed. The speaker telephone of the present invention includes a controller which determines whether an earphone is connected or disconnected. If the earphone is disconnected, the controller places the speaker telephone in the half-duplex mode of operation to prevent undesired feedback of speaker output to the microphone input. If the earphone is connected, the controller causes the speaker telephone to transition from the half-duplex to the full-duplex mode of operation.

Thus, Watanabe discloses that when an earphone is connected, the phone is placed in full-duplex mode and when the earplug is disconnected, the phone is placed in full-duplex mode. In other words, when the earphone is plugged in, the phone call is received and when the earphone is not plugged in, the phone call is received. For at least this reason, Applicants submit that Watanabe fails to disclose or suggest that the managing of the phone call to the wireless handheld phone device further includes receiving the phone call only if an earplug device is plugged in, as recited in claim 3.

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Applicants further submit that Beghtol also fails to satisfy the deficiencies of Chmaytelli, Watanabe and Sumner. Therefore, Applicants respectfully request that the rejection of claim 3 and dependent claim 7 be withdrawn.

Independent claims 13 and 17 recite a feature similar to the previously-discussed feature of claim 3. Applicants submit that claims 13 and 17 are patentable over Chmaytelli, Watanabe, Sumner and Beghtol for reasons similar to those discussed with respect to claim 3 above. Therefore, Applicants respectfully request that the rejection of independent claim 13, dependent claim 15 and 16, independent claim 17 and dependent claims 18 and 21 be withdrawn.

Rejection of Claims 8, 9, 22 and 23

On page 8 of the Final Office Action, the Examiner rejected claims 8, 9, 22 and 23 under 35 U.S.C. 103(a) as allegedly being unpatentable over Chmaytelli, Watanabe, Sumner and Beghtol and further in view of U.S. Patent No. 6,343,120 to Rhodes. Applicants respectfully traverse the rejection.

Claims 8 and 9 depend from claim 3, either directly or indirectly as a base claim, and claims 22 and 23 depend from claim 17, either directly or indirectly as a base claim. For at least the reasons discussed above, Applicants submit that claims 3 and 17 are patentable over Chmaytelli, Watanabe, Sumner and Beghtol. Applicants further submit that Rhodes fails to satisfy the deficiencies of Chmaytelli, Watanabe, Sumner and Beghtol. Therefore, Applicants submit that dependent claims 8, 9, 22 and 23 are patentable over Chmaytelli, Watanabe, Sumner, Beghtol and Rhodes and respectfully request that the rejection of claims 8, 9, 22 and 23 be withdrawn.

Rejection of Claims 12 and 26

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On page 9 of the Final Office Action, the Examiner rejected claims 12 and 26 under 35 U.S.C. 103(a) as allegedly being unpatentable over Chmaytelli, Sumner, Watanabe, and Beghtol and further in view of U.S. Patent No. 6,161,134 to Wang et al. ("Wang"). Applicants respectfully traverse the rejection.

Claims 12 and 26 depend from claims 3 and 17, respectively. For at least the reasons discussed above, Applicants submit that claims 3 and 17 are patentable over Chmaytelli, Watanabe, Sumner and Beghtol. Applicants further submit that Wang fails to satisfy the deficiencies of Chmaytelli, Watanabe, Sumner and Beghtol. Therefore, Applicants submit that dependent claims 12 and 26 are patentable over Chmaytelli, Sumner, Watanabe, Beghtol and Wang and respectfully request that the rejection of claims 12 and 26 be withdrawn.

CONCLUSION

Having addressed all rejections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

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